

Calendar No. 285

109TH CONGRESS }
1st Session }

SENATE

{ REPORT
109-178 }

MEETING THE HOUSING AND SERVICE NEEDS OF SENIORS ACT OF 2005

NOVEMBER 15, 2005.—and ordered to be printed

Mr. SHELBY, from the Committee on Banking, Housing and
Urban Affairs, submitted the following

R E P O R T

[To accompany S. 705]

[Including cost estimate of the Congressional Budget Office]

The Committee on Banking, Housing, and Urban Affairs to which was referred the bill (S. 705) to establish the Interagency Council on Meeting the Housing and Service Needs of Seniors, and for other purposes, reports favorably thereon with an amendment, and recommends that the bill, as amended, do pass.

On July 28, 2005 the Committee voted unanimously to report the bill to the Senate.

HEARING RECORD AND WITNESSES

On June 16, 2005 the Committee heard from a variety of witnesses on their views of S. 705, a bill to establish an Interagency Council on Meeting the Housing and Service Needs of Seniors.

The Committee heard from the Honorable Alphonso Jackson, Secretary of the U.S. Department of Housing and Urban Development.

In addition, the Committee heard from: Ms. Nelda Barnett, Board Member, AARP; Ms. Dana Jo Olson, Executive Director, Laurel Manor Senior Residence (CO), appearing on behalf of Volunteers of America; Mr. Steve Proctor, Pennsylvania Non-Profit Housing Association and President, Presbyterian Homes; Dr. William T. Smith, President of American Association of Homes and Services for the Aging (NY); Mr. Terry Allton, Vice President of Support Services, National Church Residences and Chairman, American Association of Service Coordinators (OH); Mr. Steve Protulis, Execu-

tive Director, Elderly Housing Development & Operations Corporation (FL); and Mr. David G. Wood, United States Government Accountability Office.

BACKGROUND AND NEED FOR LEGISLATION

The senior population in the United States is growing rapidly, and is expected to reach 50 million by the year 2020. By the year 2030, over one-fifth of the U.S. population will be over 65 years of age. In recognition of the need to plan for this population, in 1999, Congress established the Commission on Affordable Housing and Health Facility Needs for Seniors ("Seniors Commission"). This Commission was created to study and report back to Congress on the housing and health needs of seniors, and to make specific policy and legislative recommendations on how these needs could be met.

On June 30, 2002, the Seniors Commission presented its findings to Congress, which contained vital information about seniors and made a number of recommendations. The Seniors Commission found that seniors need a wide variety of housing opportunities which link housing and services. Over 18 percent of seniors (over 5.8 million) who do not reside in nursing facilities have difficulty performing their daily activities and over one million of these seniors require assistance with many of their basic tasks. The Seniors Commission reported that for many seniors, service-enriched housing opportunities are needed to avoid premature institutionalization.

Despite the overwhelming desire of seniors to remain in their homes and out of institutionalized settings, the Seniors Commission found that "many seniors across the income spectrum are at risk of institutionalization or neglect due to declining health and loss or absence of support and timely interventions."

There are numerous federal programs which can assist seniors in meeting their needs. However, the programs and benefits are fragmented across several agencies and departments, creating a confusing maze of bureaucracies for seniors and their families to navigate in order to access needed housing and supportive services. The Seniors Commission documented this fragmentation in their report, and found that "the most striking characteristic of seniors' housing and health care in this country is the disconnection of one field from another." The Commission concluded that "the time has come for coordination among Federal and State agencies and administrators."

PURPOSE AND SUMMARY OF LEGISLATION

S. 705 establishes the Interagency Council on Meeting the Housing and Service Needs of Seniors. The Council is comprised of the highest level officials who oversee the various programs that serve seniors. The Committee believes that this will ensure that Council recommendations will be endorsed by those who have decision-making authority over the various programs, and therefore it is the hope of the Committee that any recommendations made by the Council will be quickly accepted and implemented.

The Council will be comprised of the Secretaries of the U.S. Department of Housing and Urban Development and the U.S. Department of Health and Human Services as well as the Secretaries, or designees of the Department of Agriculture, Labor, Transportation,

Veterans Affairs, and the Treasury. Also serving on the Council will be the following (or their designees): the Commissioner of the Social Security Administration, the Administrator of the Centers for Medicare and Medicaid Services and the Administrator of the Administration on Aging. In order to ensure that state and local perspectives are considered, the Council will also have three additional members- a Governor, a Mayor and a local official, as appointed by the President. These state and local representatives are not to be considered federal employees.

While most of the federal officials serving on the Council will be able to appoint a designee to the Council, the legislation does not allow the Secretaries of the U.S. Department of Housing and Urban Development and the U.S. Department of Health and Human Services to appoint a designee. The Committee believes that in order to truly coordinate housing and services, these two Secretaries and Departments must be fully involved in the collaborative process. The Committee believes that this Council will be helpful in allowing these Secretaries and the Departments they oversee to better serve a large segment of their clients- senior citizens. Each of these two Secretaries will serve as Chair for rotating two year periods.

The Council will work primarily to coordinate federal departments and agencies so that seniors are better served, and can more easily age in place or find alternative suitable living arrangements. The Council will help to ensure that seniors and their families have access to better information and programs, so that seniors can easily access housing linked with services. The Council will work to ensure ongoing collaboration among and within agencies that serve seniors, and will serve as a permanent national platform to address the needs and issues of our aging population as that population continues to grow.

In order to carry out its objectives, the Council will have meetings, hold hearings to gather input from interested stakeholders, undertake a thorough review of programs for seniors and assess the actual needs of seniors around the country. The Council will meet no less than four times a year. Regular meetings of the Council will help to avoid the problems experienced by the Interagency Council on Homelessness, where the Interagency Council on Homelessness was inactive for a number of years. The Committee believes it is important, especially in getting the Seniors Council established, that the Council meet regularly to establish an agenda, procedures, ethics guidelines, and timelines for hearings and activities. Since this is a large time commitment, the Committee expects the Council to adopt internal guidelines and policies to ensure that these requirements are not overly burdensome on any members, including the Chair. These policies may allow someone other than the Chair to oversee Member meetings. In addition, the Committee expects the Council to appoint a qualified Executive Director and hire staff so that the day-to-day activities of the Council can be carried out effectively.

After holding hearings, assessing programs and needs, identifying best practices, and collecting relevant data, the Council will make recommendations to Congress about administrative and legislative changes that should be made so that existing resources are maximized and programs are effective, duplication is reduced or

eliminated, and programs and services can be easily pieced together.

While the focus of the Council is coordination of the federal programs, the Committee understands that federal programs and services are only one part of the much larger solution to meeting the needs of seniors. The Council must work with State, local and private partners in order to adequately prepare for the needs of the growing elderly population. Under this bill, the Council is required to hold individual meetings with State representatives, provide ongoing technical assistance and work with States so that each State identifies a liaison to work with the Council on an ongoing basis.

Each year, the Council will prepare a report to Congress on the barriers and impediments to addressing the needs of seniors, the efforts made by each agency to increase opportunities for seniors to find service enriched housing, as well as the efforts to coordinate with other programs. Each agency which serves seniors is required to provide information to the Council annually, and on an ongoing basis, as necessary, to ensure that the Council is able to perform its duties and meet its obligations. The Committee envisions that the Council as part of the executive branch will work with the President as other federal agencies do prior to reporting to Congress and making administrative and legislative recommendations.

The bill authorizes \$1.5 million per year for 5 years so that the Council can carry out its activities.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section establishes the title of the bill, the “Meeting the Housing and Service Needs of Seniors Act of 2005”

Section 2. Congressional findings

This section states Congressional Findings, including:

(1) The senior population (persons 65 or older) in this country is rapidly growing, and is expected to increase from 34,700,000 in 2000 to nearly 40,000,000 by 2010, and then will dramatically increase to over 50,000,000 by 2020.

(2) Seniors need access to a wide array of housing options, such as affordable assisted living, in home care, supportive or service-enriched housing, and retrofitted homes and apartments to allow seniors to age in place and to avoid premature placement in institutional settings.

(3) While there are many programs in place to assist seniors in finding and affording suitable housing and accessing needed services, these programs are fragmented and spread across many agencies, making it difficult for seniors to access assistance or to receive comprehensive information.

(4) Better coordination among Federal agencies is needed, as is better coordination at State and local levels, to ensure that seniors can access government activities, programs, services, and benefits in an effective and efficient manner.

Section 3. Definitions

This section provides definitions of the following terms: “housing,” “service,” “program,” “Council,” and “senior.”

Section 4. Interagency Council on Meeting the Housing and Service Needs of Seniors

This section establishes a high level executive branch Interagency Council on Meeting the Housing and Service Needs of Seniors.

This section also lays out the objectives of the Council, including promoting coordination and collaboration among the federal agencies and departments which serve seniors; identifying housing and service needs of seniors; facilitating the aging in place of seniors; making recommendations about needed changes to maximize the impact of existing programs, reduce duplication and increase access to programs and services.

This section details the Council membership—the Secretaries of HUD and HHS, as well as the Secretaries or designees of the Department of Agriculture, Labor, Transportation, Veterans Affairs, and the Treasury. Also serving on the Council will be the following (or their designees): the Commissioner of the Social Security Administration, the Administrator of the Centers for Medicare and Medicaid Services and the Administrator of the Administration on Aging. The Council will also have three additional members—a Governor, a Mayor and a local official, as appointed by the President. This section establishes that the Secretaries of HUD and HHS will chair the Council in rotating 2-year terms. Under this section, the Council is required to meet quarterly, and must hold at least 2 meetings a year with stakeholders and interested parties. This requirement can be met by opening at least two of the quarterly meetings to the public.

Section 5. Functions of the Council

This section lists the activities that the Council will undertake in meeting its objectives. In meeting its objectives, the Council will: review all federal programs and services that assist seniors; monitor, evaluate and recommend improvements in existing programs, and how programs can be better coordinated; recommend ways to reduce duplication and ensure greater collaboration; work to facilitate the aging in place of seniors; work with states to ensure programs and services are coordinated at state and local levels; identify best practices for meeting the needs of seniors; ensure seniors have access to information about programs and services, including the establishment of a website; and maintain updated data sources on seniors and their needs.

This section also requires that each agency or department that is a member of the Council provide a report to the Council that describes: each program in the agency or department that serves a substantial number of seniors; any barriers to the access and use of such programs; the efforts made by the agency in increasing service enriched housing opportunities for seniors; and any new data relating to housing and service needs of seniors.

Based on the information provided by each member agency, the Council is required to prepare and transmit a report to Congress and the President that summarizes the agency information; assesses the needs of seniors; provides a comprehensive description of the programs and services that exist for seniors; describes how the agencies and Council are working with state and local governments and private organizations to better coordinate senior pro-

grams; and makes recommendations for legislative and administrative changes needed to better meet the needs of seniors.

Section 6. Powers of the Council

This section details how the Council will work, including granting the Council the power to hold hearings and take testimony as needed. In addition, this section provides that member agencies must provide the Council with all requested information. This section also requires the Council to adopt internal ethics guidelines.

Section 7. Council Personnel Matters

This section clarifies that Council members shall not be compensated for their service on the Council. Under this section, the Council must appoint an Executive Director at its initial meeting, and the Executive Director, with the approval of the Council may hire staff.

This section also requires the Secretaries of the U.S. Department of Housing and Urban Development and the U.S. Department of Health and Human Services to provide all necessary administrative support including office space and computer/internet access.

Section 8. Authorization of Appropriations

This section authorizes \$1.5 million per year for 5 years for the Council.

COST OF THE LEGISLATION

CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 5, 2005.

Hon. RICHARD C. SHELBY,
Chairman, Committee on Banking, Housing, and Urban Affairs,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 705, the Meeting the Housing and Service Needs of Seniors Act of 2005.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Jimin Chung and Matthew Pickford.

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

S. 705.—Meeting the Housing and Service Needs of Seniors Act of 2005

Summary: CBO estimates that implementing S. 705 would cost \$7.5 million over the 2006–2010 period, assuming appropriation of the authorized amounts for those years. Enacting S. 705 would not affect direct spending or receipts. The legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

S. 705 would establish the Interagency Council on Meeting the Housing and Service Needs of Seniors and would authorize the appropriation of \$1.5 million for each fiscal year through 2010. The

Council would work to improve the collaboration and coordination between federal departments and agencies that provide senior citizens with housing, health care, and other related services.

The Council would be composed of at least 13 members, including 10 from federal agencies, and led by the Secretaries of the Department of Housing and Urban Development and the Department of Health and Human Services. Members of the Council would serve without compensation. However, the Council would be authorized to appoint an executive director, who could hire temporary staff and provide other services as authorized by law. Federal agencies also could provide technical and administrative support. CBO estimates that the costs incurred by federal agencies would not be significant.

The CBO staff contacts for this estimate are Jimin Chung and Matthew Pickford. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

CHANGES IN EXISTING LAW (CORDON RULE)

On July 28, 2005, the Committee unanimously approved a motion by Senator Shelby to waive the Cordon rule. Thus, in the opinion of the Committee, it is necessary to dispense with the requirement of section 12 of rule XXVI of the Standing Rules of the Senate in order to expedite the business of the Senate.

